



Tuesday, July 19, 2011

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street W.  
Washington, DC 20054

Re: The Matter of the Structure and Practices of the Video Relay Service Program, CG Docket No. 10-51

Dear Mrs. Dortch,

In response to the FNPRM (11-184) that was released on December 15, 2011, I put forward what follows for consideration as the FCC continues to evaluate the actions necessary to protect and reorganize the structure and practices of the nation's Video Relay Program.

#### **Rate Differential for Use of Certified Interpreters**

In the recent FNPRM, the FCC is seeking comment on how to increase points of competition among VRS providers for "new-to-VRS" users. To that end, I would urge the Commission to consider the establishment of a rate differential for a provider's when using nationally certified interpreters. This differential, folded into the proposed monthly rate paid providers per active user, would be paid according to the percentage of nationally certified interpreters who provided service during a given month.

An example,

Provider A:

Active Users the Previous Month: 10

Monthly Rate per User: \$175.00

Certification Differential: \$5.00 (potential per user)

% of Interpreters Certified: 80%

Differential Compensation: \$40.00 (8 x \$5)

Monthly Total Compensation: \$1790.00 ( $\$175 \times 10 + \$40$ )

This differential would serve to protect the functional equivalency of the service, by incenting providers to continue to use trained, nationally credentialed professionals as they consider measures to reduce costs and gain economies of scale. Further, it adds to the point of competition for “new-to-VRS users” to consider when making a Default Provider decision.

### **Reporting Transparency – Interpreter Compensation & Benefits**

The FCC further stated in the recent FNPRM that there has been and still remains a lack of clarity related to the costs necessary to employ sign language interpreters across the VRS Program. To that end, I would encourage the Commission to consider the concept of requiring providers to specifically outline the direct cost of interpreter wages and benefits.

Institution of this type of a line item in provider reports would improve clarity for the FCC relative to the employment costs sign language interpreters and what is necessary to support the VRS program longer-term. Further, the employment costs reported and the percentage of nationally certified interpreters working monthly would be an important indicator as to the continued functional equivalency of VRS program.

## **New-to-VRS Interpreter Qualification Process**

Should the Commission move to a contract model for the deliver VRS services, I believe it well positioned to institute a qualification process for new-to-VRS interpreters working in support of the VRS program. I would urge the Commission to consider instituting the following requirements for providers as they engage interpreters new to the provision of video relay services,

- Minimum of 3 years of professional experience
- Credential validation
- 40 hour mandatory training on the provision of VRS

Topics might include:

- History of VRS
- Effective provision of service
- Regulatory compliance
- Cultural sensitivities
- Whistleblower Policies

Further, to address the continued qualification of interpreters working in VRS settings, I would encourage the Commission to consider requiring providers to offer annual refresher trainings on the points listed above for all interpreters in their employ.

The implementation of a qualification process by the FCC would prevent the use of unqualified interpreters working in support of the communication needs of Deaf Americans. Further, it ensures that the economies of scale providers seek in order to be eligible to successfully secure one of few contracts will come from legitimate interpreter resources.

## **Repeal the Ban on Working from Home**

In an effort to encourage the containment of the costs of the TRS Fund and to create additional options for providers to reduce costs and achieve sufficient economies of scale, I would urge the Commission to consider repealing the prohibition preventing providers from delivering services from an at home solution.

Repealing this ban, gives providers an opportunity to reduce infrastructure and reimbursement costs, this supports their ability to work within the new model being proposed. Equally important to the cost containment of the TRS Fund, repealing this ban supports the expansion of VRS by increasing the supply of available interpreters.

## **How to Work with Sign Language Interpreters**

As the FCC is also seeking comment on the concept of their supplementing provider's outreach activities by campaigning to educate the public on VRS, I would put forward that the Commission consider including how to work with sign language interpreters as part of these outreach activities. This will reinforce the functional equivalency of the service while working to reduce the overall costs of the service by making interactions more efficient.

At the end of the day, while sign language interpreters may not be viewed as the direct responsibility of the FCC, it is easily concluded that they are at the center of the nation's Video Relay Program. By instituting a rate differential for use of nationally certified interpreters, implementing a qualification process for "new-to-VRS" interpreters, and repealing the ban on working from an at home solution, the FCC will further ensure the functional equivalency of the VRS program while supporting VRS providers to achieve the necessary economies of scale to operate within the new model.

## **Talking Points For Interpreters**

### **Rate Differential for Use of Nationally Certified Interpreters**

A rate differential folded into the monthly rate paid providers per active user, paid according to the percentage of nationally certified interpreters who provided service during a given month would,

- 1) Protect the functional equivalency of the service by incenting providers to continue to use trained, credentialed interpreters as they consider measures to reduce costs and gain economies of scale.
- 2) Add a point of competition for "new-to-VRS users" to consider when making a Default Provider decision.

### **Reporting Transparency – Interpreter Compensation & Benefits**

Implementing a provider requirement to specifically outline the direct cost of interpreter wages and benefits in their reports would,

- 1) Provide greater clarity for the FCC relative to the costs of employing sign language interpreters to sustain the Video Relay Program long-term.
- 2) Offer the Commission an indicator, when paired with the percentage of nationally certified interpreters regularly working, relative to the continued functional equivalency of the VRS Program.

### **New-to-VRS Interpreter Qualification Process**

Institute a perpetual qualification process for new-to-VRS interpreters supporting the VRS program. This would,

- 1) Prevent the use of unqualified interpreters in support of the communication needs of Deaf Americans.
- 2) Ensure that the economies of scale come from legitimate interpreter sources.

Qualification process should include:

- Minimum of 3 years of professional experience
- Credential validation
- 40 hour mandatory training on the provision of VRS

Topics might include:

- History of VRS
- Effective provision of service
- Regulatory compliance
- Cultural sensitivities
- Whistleblower Policies

Continued qualification should be required in the form of annual refresher trainings on the points listed above for all interpreters in the employ of a VRS provider.

## **Repeal the Ban on Working from Home**

Repealing the prohibition preventing providers from delivering services from an at home solution will,

- 1) Encourage the containment of the costs of the TRS Fund
- 2) Increase the availability of the service by increasing the number of available interpreters.
- 2) Create additional options for providers to reduce costs and achieve sufficient economies of scale.
- 3) Reduce sign language interpreter reimbursable costs.

## **How to Work with Sign Language Interpreters**

How to work with sign language interpreters should be included as part of the FCC's proposed supplement to provider's outreach activities. This would,

- 1) Reinforce the functional equivalency of the service
- 2) Reduce the overall costs of the service by making interactions more efficient

Very Truly yours,

A handwritten signature in black ink, appearing to read 'Joe Brzezowski', with a long horizontal line extending to the right.

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